



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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June 13, 2022

The Honorable Rebecca Bauer-Kahan
California State Assembly
1021 O Street, Suite 6320
Sacramento, CA 95814

ASSEMBLY BILL 2658 (BAUER-KAHAN)
SUPPORT

Dear Assembly Member Bauer-Kahan:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 2658.

AB 2658 ensures parity for youth in the juvenile justice system by granting them the same good time credits towards their sentence as adults receive now.

Minors are entitled to have their maximum period of confinement reduced by any time spent in physical confinement, pre-disposition. Time spent in "physical confinement," defined as "placement in a juvenile hall, ranch, camp, forestry camp, or secure juvenile home pursuant to section 730, or in any institution operated by the Youth Authority" qualifies as credit against the maximum period of confinement. Time spent in a nonsecure placement does not count. Home detention, even spent in an electronic monitoring program at the minor's residence, does not qualify for custody credit.

In contrast, adult defendants receive custody credits for time served on electronic monitoring. Additionally, both pretrial and post-sentence adult defendants who have served time under electronic monitoring home detention are eligible to earn conduct credits.

Juveniles subject to pre-adjudication and post-adjudication electronic monitoring are similarly situated to adult criminal defendants because both categories of individuals are subjected to similarly restrictive home detention conditions and both are avoiding spending time in local custody.

AB 2658 also requires the juvenile court to review the necessity for continued electronic monitoring every 30 days if electronic monitoring is imposed for a period greater than 30 days. In making the determination, the court would be required to consider whether there are less restrictive conditions of release that would achieve the rehabilitative purpose of the juvenile court. If less restrictive conditions of release are warranted, the court would be required to order

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removal of the electronic monitor or modify the terms of the electronic monitoring order to achieve the less restrictive alternative.

Our Office is pleased to support AB 2658 because it corrects a longstanding inequity between juvenile and adult court by affording custody credits to youth subject to electronic monitoring in the same manner as their adult counterparts.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Gascón", written in a cursive style.

GEORGE GASCÓN
District Attorney